

REMARKS

Claims 1-28 are all the claims pending in the application, including claims 14-28 added by the September 9 Amendment.

Claims 1, 4, and 8 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

Claims 1, 4, 8-11, 13, 14, 16-19, 21-24, and 26-28 are rejected under 35 U.S.C. § 102(b) as being anticipated by previously-cited Suzuki et al. (US 4,930,008, hereafter "Suzuki"). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. in view of previously-cited Moriguchi (US 4,490,740).

Claims 3, 5-7, 12, 15, 20, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form and rewritten to overcome the § 112, first paragraph, rejection.

With regard to the rejection under § 112, first paragraph, Applicant deletes the recitations of a light emission controller from independent claims 1, 4, and 8.

For the prior art rejections, Applicant submits that the cited references do not teach or suggest all of the limitations of the claims. In particular, Suzuki fails to teach or suggest the optical member recited by independent claims 1, 4, and 8. In the Response to Arguments, the Examiner refers col. 5, lines 1-30, col. 3, lines 55-68, col. 4, lines 1-8, and FIG. 4 of Suzuki as allegedly disclosing this feature of the claims. Applicant reiterates the previous arguments, as modified below.

Claim 1 recites an optical member for irradiating light emitted from said plurality of light emitting element units across at least a substantially entire width of the original in the first

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U. S. Application No. 09/588,345

direction. The Examiner asserts in the Response to Arguments that “Suzuki focuses light from CCD line sensor 3 onto the original document 1.” Clearly, Suzuki does not make such a disclosure. The CCD line sensor 3 detects light reflected from the original (col. 5, lines 21-24); it does not emit light onto the original.

In the rejection, the Examiner asserts that the multi-lens-array 4 of Suzuki corresponds to the claimed optical member, but Applicant disagrees. As shown in FIG. 4 of the reference, the multi-lens-array 4 does not irradiate light emitted from the plurality of light emitting element units across at least a substantially entire width of the original in the first direction, as recited by claim 1. Instead, light is emitted from the LEDs 13R and 13Y directly onto the original document 1, and the multi-lens-array 4 of Suzuki focuses light from the original to the CCD line sensor 3.

Thus, claim 1 and its dependent claims 14 and 16 are not anticipated by Suzuki.

For analogous reasons, Applicant submits that Suzuki fails to teach or suggest all of the limitations of claim 4 and its dependent claims 19 and 21 and claim 8 and its dependent claims 11, 24, and 26, and thus these claims are allowable as well.

Claim 2 is rejected over Suzuki in view of Moriguchi. Applicant submits that claim 2 is allowable over the prior art, at least because of its dependence from claim 1 and because Moriguchi fails to make up for the deficiencies of Suzuki.

Furthermore, the prior art fails to teach or suggest the newly-added feature of the claims of at least one light emitting element unit for emitting light being selected among said plurality of light emitting element units in accordance with at least one of a first direction dimension of the original, a number of originals and a magnification at which the original is to be read.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U. S. Application No. 09/588,345

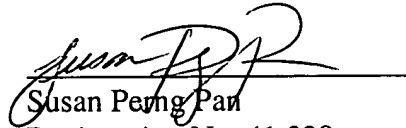
Support for this amendment to the claims can be found in the present specification at page 24, lines 3-16, for example.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Susan Peng Pan
Registration No. 41,239

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 23, 2004